

IOWA DISTRICT COURT, FIFTH JUDICIAL DISTRICT

**IN RE UPDATE ON THE TEMPORARY
CLOSURE OF COURTS OF THE FIFTH
JUDICIAL DISTRICT**

ADMINISTRATIVE ORDER 2009-21

Administrative Order 2009-15 was entered on March 18, 2009, entitled In Re: Temporary Closure of Courts of the Fifth Judicial District, detailing how court business would be handled with the closure of all court offices and temporary one day layoffs of all non-judicial staff on March 20, April 10, April 24, May 8, May 22, June 5 and June 19, 2009.

On May 5, 2009, the Iowa Supreme Court entered a Supervisory Order, In the Matter of Court Closure and Unpaid Leave Days: May 8, 2009. In that Supervisory Order the Supreme Court cancelled the May 8th closure day, and further directed that, "...all judges and magistrates [to] take unpaid leave on May 22, 2009. Notwithstanding this order, a chief judge of the judicial district may require certain judges and magistrates to be on call or available to cover emergency matters and authorize such judges and magistrates to take unpaid leave at another time during the same period as the court closure day." The question of whether the final two court closures and unpaid leave days would be cancelled remains outstanding pending the Governor's action and timing on Senate File 478, and will be addressed by further Supervisory Order of the Iowa Supreme Court.

THEREFORE at this time, Administrative Order 2009-15 is amended with respect to May 22, 2009 as follows and it is **NOW HEREBY ORDERED**:

1. Judicial Officer Coverage for Emergency Matters on May 22, 2009: In each county of Judicial Election District's 5A and 5B with one or more magistrates, one magistrate shall be on call for emergency matters (similar to weekend or holiday duty) and in-custody initial appearances only. No other judicial business shall be conducted on May 22, 2009. In Dallas and Clarke Counties, the magistrates may select amongst themselves who will be on call on May 22nd and if agreement cannot be reached, the most junior magistrate shall be on call.

The magistrates on call for May 22nd may mutually exchange a weekend or holiday duty call with another magistrate to provide compensation for being on call on May 22, 2009.

In Warren and Marion Counties, the district associate court judge shall be on call for emergency matters (similar to weekend, holiday or after hours duty) and in custody initial appearances only. No other judicial business shall be conducted on May 22, 2009. The Warren County district associate court judges may select amongst themselves who will be on call on May 22nd and if agreement cannot be reached, the most junior DAJ shall be on call. The on call DAJ's from Warren and Marion County may mutually exchange a weekend or holiday duty call day with each other to provide compensation for being on call on May 22, 2009.

In Judicial Election District 5C (Polk County), the on-call emergency judge shall be on duty on May 22, 2009 for all emergency matters (similar to weekend, holiday or after hours duty), and such judge shall take May 21, 2009, as the unpaid leave day. The emergency on-call duty judge for May 22, 2009 is Chief Judge Arthur E. Gamble.

2. For any emergency judicial business requiring district court judicial authority in any county of the Fifth Judicial District on May 22, 2009, the local judicial officer on duty shall contact Chief Judge Arthur E. Gamble as the on-call emergency district court judge for the district at 1-515-360-0992

Dated this 20th day of May, 2009.


CHIEF JUDGE
Fifth Judicial District of Iowa

Copies to:

Marsha Ternus, Chief Justice
Michael Streit, Liaison Justice
David Boyd, State Court Administrator
Ken Bosier, IT Director
Elizabeth Baldwin, District Court Administrator
All Fifth Judicial District Judges
All Fifth Judicial District Magistrates
All Fifth Judicial Clerks of the District Court and staff
Marilyn Lantz, Chief Juvenile Court Officer
All Fifth Judicial District Asst. DCA's, Case Coordinators, Court Attendants and Judicial Assistants
All Fifth Judicial District Court Reporters

All Fifth Judicial District Juvenile Court Services Staff
All Fifth Judicial District County Sheriffs
All Fifth Judicial District County Attorneys
Polk County Youth Services
All Fifth District Boards of Supervisors
Polk County Bar Association
5B Bar Association
All 5A Bar Associations
All Fifth Judicial District Mental Health Advocates
Wendy Rickman, DHS, Des Moines Area SAM
Mark Smith, Acting State Public Defender
Valerie Wilson, Polk County Public Defender
Kathy Miller, Polk County Juvenile Public Defender
Mike Sorci, Youth Law Center